

V I R G I N I A:

BEFORE THE VIRGINIA GAS AND OIL BOARD

APPLICANT: POCAHONTAS GAS PARTNERSHIP) VIRGINIA GAS
) AND OIL BOARD
 RELIEF SOUGHT: MODIFICATION OF ORDER POOLING) DOCKET NO.
 INTERESTS IN DRILLING UNIT NO. R-43)
 LOCATED IN THE OAKWOOD COALBED) 00-0321-0781-01
 METHANE GAS FIELD I PURSUANT TO VA.)
 CODE §§ 45.1-361.21 AND 45.1-361.22,)
 FOR THE PRODUCTION OF OCCLUDED)
 NATURAL GAS PRODUCED FROM COALBEDS)
 AND ROCK STRATA ASSOCIATED THEREWITH)
 (herein collectively referred to as)
 "Coalbed Methane Gas" or "Gas"))
)
 LEGAL DESCRIPTION:)
)
 DRILLING UNIT NUMBER R-43)
 (herein "Subject Drilling Unit"))
 IN THE OAKWOOD COALBED METHANE GAS FIELD I)
 GARDEN MAGISTERIAL DISTRICT,)
 JEWELL RIDGE QUADRANGLE)
 BUCHANAN COUNTY, VIRGINIA)
 (the "Subject Lands" are more)
 particularly described on Exhibit)
 "A", attached hereto and made a)
 part hereof))

REPORT OF THE BOARDFINDINGS AND ORDER

1. Hearing Date and Place: This matter came on for final hearing before the Virginia Gas and Oil Board (hereafter "Board") at 9:00 a.m. on December 18, 2001 at the Southwest Virginia Higher Education Center on the campus of Virginia Highlands Community College, Room 240, Abingdon, Virginia.

2. Appearances: Mark Swartz, Esquire, of the firm Swartz & Stump, L.C., appeared for the Applicant. Sandra Riggs, Assistant Attorney General, was present to advise the Board.

3. Jurisdiction and Notice: Pursuant to Va. Code §§ 45.1-361.1 et seq., the Board finds that it has jurisdiction over the subject matter. Based upon the evidence presented by Applicant, the Board also finds that the Applicant has (1) exercised due diligence in conducting a search of the reasonably available sources to determine the identity and whereabouts of gas and oil owners, coal owners, mineral owners and/or potential owners, i.e., persons identified by Applicant as having ("Owner") or claiming ("Claimant") the rights to Coalbed Methane Gas in all coal seams below the Tiller Seam, including the Upper Seaboard, Greasy Creek, Middle Seaboard, Lower Seaboard, Upper Horsepen, Middle Horsepen, War Creek, Lower Horsepen, Pocahontas No. 9, Pocahontas No. 8, Pocahontas No. 7, Pocahontas No. 6, Pocahontas No. 5, Pocahontas No. 4, Pocahontas No. 3, Pocahontas No. 2 and various unnamed coal seams, coalbeds and rock strata associated therewith (hereafter "Subject Formation") in Subject Drilling Unit underlying and comprised of Subject Lands; (2) represented it has given notice to those parties (hereafter sometimes "person(s)" whether referring to individuals, corporations, partnerships, associations, companies, businesses, trusts, joint ventures or

other legal entities) entitled by Va. Code §§ 45.1-361.19 and 45.1-361.22, to notice of the Application filed herein; and (3) that the persons set forth in Exhibit B-3 hereto are persons identified by Applicant through its due diligence who may be Owners or Claimants of Coalbed Methane Gas interests in Subject Formation, in Subject Drilling Unit underlying and comprised of Subject Lands, who have not heretofore agreed to lease or sell to the Applicant and/or voluntarily pool their Gas interests. Conflicting Gas Owners/Claimants in Subject Drilling Unit are listed on Exhibit E. Further, the Board has caused notice of this hearing to be published as required by Va. Code § 45.1-361.19.B. Whereupon, the Board hereby finds that the notices given herein satisfy all statutory requirements, Board rule requirements and the minimum standards of state due process.

4. Amendments: Exhibit A, Page 2.

5. Dismissals: None.

6. Relief Requested: Applicant requests (1) that pursuant to Va. Code § 45.1-361.22, including the applicable portions of Va. Code § 45.1-361.21, the Board modify its order entered in VGOB Docket No. 00-0321-0781 on April 27, 2000 and filed with the Clerk of the Circuit Court of Buchanan County on May 3, 2000 at Deed Book 506 at Page 517 as supplemented by the Board's Supplemental Order entered June 26, 2000 and filed with the Clerk of the Circuit Court of Buchanan County on July 5, 2000 at Deed Book 509 at Page 578 (herein collectively "Original Pooling Order") to reflect the Unit Operator's correction of survey errors that have resulted in shifts of tract boundaries within Subject Drilling Unit by pooling all the rights, interests and estates in and to the Gas in Subject Drilling Unit, including the pooling of the interests of the Applicant and of the known and unknown persons named in Exhibit B-3 hereto and that of their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, for the drilling and operation, including production, of Coalbed Methane Gas, produced from or allocated to the Subject Drilling Unit established for the Subject Formation underlying and comprised of the Subject Lands, (hereafter sometimes collectively identified and referred to as "Well Development and/or Operation in the Subject Drilling Unit"), and (2) that the Board designate Pocahontas Gas Partnership as Unit Operator.

7. Relief Granted: The Applicant's requested relief in this cause be and hereby is granted: (1) Pursuant to Va. Code § 45.1-361.21.C.3, Pocahontas Gas Partnership (hereafter "Unit Operator") is designated as the Unit Operator authorized to drill and operate the Coalbed Methane Gas well in the Subject Drilling Unit at the location depicted on the plat attached hereto as Exhibit A, subject to the permit provisions contained in Va. Code §§ 45.1-361.27 et seq.; to the Oakwood Coalbed Methane Gas Field I Order OGC 3-90, dated May 18, 1990, as amended; to §§ 4 VAC 25-150 et seq., Gas and Oil Regulations; and to §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations, all as amended from time to time, and (2) the Original Pooling Order is hereby modified and all the interests and estates in and to the Gas in Subject Drilling Unit, including that of the Applicant and of the known and unknown persons listed on Exhibit B-3, attached hereto and made a part hereof, and their known and unknown heirs, executors, administrators, devisees, trustees, assigns and successors, both immediate and remote, be and hereby are pooled in the Subject Formation in the Subject Drilling Unit underlying and comprised of the Subject Lands.

<u>Subject Formation</u>	<u>Unit Size</u>	<u>Permitted Well Location(s)</u>	<u>Field and Well Classification</u>	<u>Order Number</u>
All coal-beds and coal seams below the Tiller Seam, including, but not limited to Upper Seaboard, Greasy Creek, Middle Seaboard, Lower Seaboard, Upper Horsepen, Middle Horsepen, War Creek, Lower Horsepen, Pocahontas Nos. 9, 8, 7, 6, 5, 4, 3, 2 and various unnamed seams and associated rock strata	Approximately 80-acre square drilling unit	Two wells are located in Subject Drilling Unit at the locations depicted on the Plat attached hereto as Exhibit A (Wells CBM-PGP-R43 and CBM-PGP-R43A). Well CBM-PGP-R43 was drilled on December 11, 1999 pursuant to Permit #4313 and was drilled to a depth of 1,685.70 feet.	Oakwood Coalbed Gas Field I for Coalbed Methane Gas Produced in advance of mining including Gas from any Additional Well Authorized Pursuant to Va. Code § 45.1-361.20	OGCB-as amended, (herein "Oakwood I Field Rules")

For the Subject Drilling Unit
underlying and comprised of the Subject
Land referred to as:

Unit Number R-43
Buchanan County, Virginia

Pursuant to the Oakwood I Field Rules, the Board has adopted the following method for the calculation of production and revenue and allocation of allowable costs for the production of Coalbed Methane Gas.

For Frac Well Gas. - Gas shall be produced from and allocated to only the 80-acre drilling unit in which the well(s) is located according to the undivided interests of each Owner/Claimant within the unit, which undivided interest shall be the ratio (expressed as a percentage) that the amount of mineral acreage within each separate tract that is within the Subject Drilling Unit, when platted on the surface, bears to the total mineral acreage, when platted on the surface, contained within the entire 80-acre drilling unit in the manner set forth in the Oakwood I Field Rules.

8. Election and Election Period: In the event any Owner or Claimant named in Exhibit B-3 hereto does not reach a voluntary agreement to share in the operation of the well located in the Subject Drilling Unit, at a rate of payment mutually agreed to by said Gas Owner or Claimant and the Unit Operator, then such person named may elect one of the options set forth in Paragraph 9 below and must give written notice of his election of the option selected under Paragraph 9 to the designated Unit Operator at the address

shown below within thirty (30) days from the date this Order is recorded in the county above named. A timely election shall be deemed to have been made if, on or before the last day of said 30-day period, such electing person has delivered his written election to the designated Unit Operator at the address shown below or has duly postmarked and placed its written election in first class United States mail, postage prepaid, addressed to the Unit Operator at the address shown below.

9. Election Options:

9.1 Option 1 - To Participate In The Well Development and Operation of the Drilling Unit: Any Gas Owner or Claimant named in Exhibit B-3 who does not reach a voluntary agreement with the Unit Operator may elect to participate in the Well Development and Operation in the Subject Drilling Unit (hereafter "Participating Operator") by agreeing to pay the estimate of such Participating Operator's proportionate part of the actual and reasonable costs of the Well Development contemplated by this Order for Gas produced pursuant to the Oakwood I Field Rules, including a reasonable supervision fee, as more particularly set forth in Virginia Gas and Oil Board Regulation 4 VAC 25-160-100 (herein "Completed-for-Production Costs"). Further, a Participating Operator agrees to pay the estimate of such Participating Operator's proportionate part of the Completed-for-Production Cost as set forth below to the Unit Operator within forty-five (45) days from the later of the date of mailing or the date of recording of this Order. The Completed-for-Production Cost for the Subject Drilling Unit is as follows:

Completed-for-Production Cost: \$220,291.11

A Participating Operator's proportionate cost hereunder shall be the result obtained by multiplying the Participating Operators' "Interest in Unit" times the Completed-for-Production Cost set forth above. Provided, however, that in the event a Participating Operator elects to participate and fails or refuses to pay the estimate of his proportionate part of the Completed-for-Production Cost as set forth above, all within the time set forth herein and in the manner prescribed in Paragraph 8 of this Order, then such Participating Operator shall be deemed to have elected not to participate and to have elected compensation in lieu of participation pursuant to Paragraph 9.2 herein.

9.2 Option 2 - To Receive A Cash Bonus Consideration: In lieu of participating in the Well Development and Operation in Subject Drilling Unit under Paragraph 9.1 above, any Gas Owner or Claimant named in Exhibit B-3 hereto who does not reach a voluntary agreement with the Unit Operator may elect to accept a cash bonus consideration of \$1.00 per net mineral acre owned by such person, commencing upon entry of this Order and continuing annually until commencement of production from Subject Drilling Unit, and thereafter a royalty of 1/8th of 8/8ths [twelve and one-half percent (12.5%)] of the net proceeds received by the Unit Operator for the sale of the Coalbed Methane Gas produced from any Well Development and Operation covered by this Order multiplied by that person's Interest in Unit or proportional share of said production [for purposes of this Order, net proceeds shall be actual proceeds received less post-production costs incurred downstream of the wellhead, including, but not limited to, gathering, compression, treating, transportation and marketing costs, whether performed by

Unit Operator or a third person] as fair, reasonable and equitable compensation to be paid to said Gas Owner or Claimant. The initial cash bonus shall become due and owing when so elected and shall be tendered, paid or escrowed within one hundred twenty (120) days of recording of this Order. Thereafter, annual cash bonuses, if any, shall become due and owing on each anniversary of the date of recording of this order in the event production from Subject Drilling Unit has not theretofore commenced, and once due, shall be tendered, paid or escrowed within sixty (60) days of said anniversary date. Once the initial cash bonus and the annual cash bonuses, if any, are so paid or escrowed, subject to a final legal determination of ownership, said payment(s) shall be satisfaction in full for the right, interests, and claims of such electing person in and to the Gas produced from Subject Formation in the Subject Lands, except, however, for the 1/8th royalties due hereunder.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.2, when so made, shall be satisfaction in full for the right, interests, and claims of such electing person in any Well Development and Operation covered hereby and such electing person shall be deemed to and hereby does lease and assign, its right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant.

- 9.3. Option 3 - To Share In The Well Development And Operation As A Non-Participating Person On A Carried Basis And To Receive Consideration In Lieu Of Cash: In lieu of participating in the Well Development and Operation in Subject Drilling Unit under Paragraph 9.1 above and in lieu of receiving a Cash Bonus Consideration under Paragraph 9.2 above, any Gas Owner or Claimant named in Exhibit B-3 hereto who does not reach a voluntary agreement with the Unit Operator may elect to share in the Well Development and Operation of Subject Drilling Unit on a carried basis (as a "Carried Well Operator"] so that the proportionate part of the Completed-for-Production Cost hereby allocable to such Carried Well Operator's interest is charged against such Carried Well Operator's share of production from Subject Drilling Unit. Such Carried Well Operator's rights, interests, and claims in and to the Gas in Subject Drilling Unit shall be deemed and hereby are assigned to the Applicant until the proceeds from the sale of such Carried Well Operator's share of production from Subject Drilling Unit (exclusive of any royalty, excess or overriding royalty, or other non-operating or non cost-bearing burden reserved in any lease, assignment thereof or agreement relating thereto covering such interest) equals three hundred percent (300%) for a leased interest or two hundred percent (200%) for an unleased interest (whichever is applicable) of such Carried Well Operator's share of the Completed-for-Production Cost allocable to the interest of such Carried Well Operator. When the Applicant recoups and recovers from such Carried Well Operator's assigned interest the amounts provided for above, then, the assigned interest of such Carried Well Operator shall automatically revert back to such Carried Well Operator, and from and after such reversion, such Carried Well Operator shall be treated as if it had participated initially under Paragraph 9.1 above; and thereafter, such participating person shall be charged with and shall pay his

proportionate part of all further costs of such Well Development and Operation.

Subject to a final legal determination of ownership, the election made under this Paragraph 9.3, when so made, shall be satisfaction in full for the rights, interests, and claims of such electing person in any Well Development and Operation covered hereby and such electing person shall be deemed to have and hereby does assign its rights, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant for the period of time during which its interest is carried as above provided prior to its reversion back to such electing person.

10. Failure to Properly Elect: In the event a person named in Exhibit B-3 hereto does not reach a voluntary agreement with the Unit Operator and fails to elect within the time, in the manner and in accordance with the terms of this Order, one of the alternatives set forth in Paragraph 9 above for which his interest qualifies, then such person shall be deemed to have elected not to participate in the proposed Well Development and Operation in Subject Drilling Unit and shall be deemed, subject to a final legal determination of ownership, to have elected to accept as satisfaction in full for such person's right, interests, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which its interest qualifies and shall be deemed to have leased and/or assigned his right, interests, and claims in and to the Gas produced from Subject Formation in the Subject Drilling Unit to the Applicant.

Persons who fail to properly elect shall be deemed, subject to a final legal determination of ownership, to have accepted the compensation and terms set forth herein at Paragraph 9.2 in satisfaction in full for the right, interests, and claims of such person in and to the Gas produced from the Subject Formation underlying Subject Lands.

11. Default By Participating Person: In the event a person named in Exhibit B-3 elects to participate under Paragraph 9.1, but fails or refuses to pay, to secure the payment or to make an arrangement with the Unit Operator for the payment of such person's proportionate part of the Completed-for-Production Cost as set forth herein, all within the time and in the manner as prescribed in this Order, then such person shall be deemed to have withdrawn his election to participate and shall be deemed to have elected to accept as satisfaction in full for such person's right, interest, and claims in and to the Gas the consideration provided in Paragraph 9.2 above for which his interest qualifies depending on the excess burdens attached to such interest. Whereupon, any cash bonus consideration due as a result of such deemed election shall be tendered, paid or escrowed by Unit Operator within one hundred twenty (120) days after the last day on which such defaulting person under this Order should have paid his proportionate part of such cost or should have made satisfactory arrangements for the payment thereof. When such cash bonus consideration is paid or escrowed, it shall be satisfaction in full for the right, interests, and claims of such person in and to the Gas underlying Subject Drilling Unit in the Subject Lands covered hereby, except, however, for any royalties which would become due pursuant to Paragraph 9.2 hereof.

12. Assignment of Interest: In the event a person named in Exhibit B-3 is unable to reach a voluntary agreement to share in the Well Development and Operation contemplated by this Order at a rate of payment agreed to mutually by said Owner or Claimant and the Unit Operator, and such person elects or fails to elect to do other than participate under Paragraph 9.1

above in the Well Development and Operation in Subject Formations in Subject Drilling Unit, then subject to a final legal determination of ownership, such person shall be deemed to have and shall have assigned unto Applicant such person's right, interests, and claims in and to said well, and other share in production to which such person may be entitled by reason of any election or deemed election hereunder in accordance with the provisions of this Order governing said election.

13. Unit Operator (or Operator): Pocahontas Gas Partnership be and hereby is designated as Unit Operator authorized to drill and operate the Coalbed Methane Well in Subject Formation in Subject Drilling Unit, all subject to the permit provisions contained in Va. Code §§ 45.1-361.27 et seq.; §§ 4 VAC 25-150 et seq., Gas and Oil Regulations; §§ 4 VAC 25-160 et seq., Virginia Gas and Oil Board Regulations; the Oakwood Coalbed Gas Field I Order OGCB 3-90, all as amended from time to time, and all elections required by this Order shall be communicated to Unit Operator in writing at the address shown below:

Pocahontas Gas Partnership
P. O. Box 947
Bluefield, VA 24605
Phone: (540) 988-1016
Fax: (540) 988-1055
Attn: Leslie K. Arrington

14. Commencement of Operations: Unit Operator drilled Well CBM-PGP-R43 on December 11, 1999 pursuant to Permit Number 4313 issued by the Department of Mines, Minerals and Energy, Division of Gas and Oil. Except for any cash sums then payable hereunder; unless sooner terminated by Order of the Board, this Order shall terminate and expire at 12:00 p.m. on the date on which the well covered by this Order is permanently abandoned and plugged.

15. Operator's Lien: Unit Operator, in addition to the other rights afforded hereunder, shall have a lien and a right of set off on the Gas estates, rights, and interests owned by any person subject hereto who elects to participate under Paragraph 9.1 in the Subject Drilling Unit to the extent that costs incurred in the drilling or operation on the Subject Drilling Unit are chargeable against such person's interest. Such liens and right of set off shall be separable as to each separate person and shall remain liens until the Unit Operator drilling or operating any well covered hereby has been paid the full amounts due under the terms of this Order.

16. Escrow Provisions:

The Unit Operator represented to the Board that there are unknown or unlocatable Claimants in Tract 1B whose payments are subject to the provisions of Paragraph 16.1 hereof; and there are conflicting Claimants in Tracts 1B and 1C of Subject Drilling Unit whose payments are subject to the provisions of Paragraph 16.2 hereof. Conflicting Owners/Claimants who have executed royalty split agreements and no longer require escrow are listed in Exhibit EE. By this Order, the Board instructs the Escrow Agent named herein or any successor named by the Board to establish an interest-bearing escrow account for Tracts 1B and 1C (herein "the Escrow Account") and to receive and account to the Board pursuant to its agreement for the escrowed funds hereafter described in Paragraphs 16.1 for the unknown and/or unlocatable claimants and Paragraph 16.2 for the conflicting Claimants listed in Exhibit E.

First Union National Bank
 Corporate Trust PA1328
 123 South Broad Street
 Philadelphia, PA 19109-1199
 Telephone: (888) 396-0853 or (215) 985-3485
 Attention: Corporate Trust Don Ballinghoff

- 16.1. Escrow Provisions For Unknown or Unlocatable Persons: If any payment of bonus, royalty payment or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be located or is unknown, then such cash bonus, royalty payment, or other payment shall not be commingled with any funds of the Unit Operator and, pursuant to Va. Code § 45.1-361.21.D, said sums shall be deposited by the Unit Operator into the Escrow Account, commencing within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of a report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are being deposited. Such funds shall be held for the exclusive use of, and sole benefit of the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board in accordance with Va. Code § 45.1-361.21.D.
- 16.2 Escrow Provisions For Conflicting Claimants: If any payment of bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment due and owing under this Order cannot be made because the person entitled thereto cannot be made certain due to conflicting claims of ownership and/or a defect or cloud on the title, then such cash bonus, royalty payment, proceeds in excess of ongoing operational expenses, or other payment, together with Participating Operator's Proportionate Costs paid to Unit Operator pursuant to Paragraph 9.1 hereof, if any, (1) shall not be commingled with any funds of the Unit Operator; and (2) shall, pursuant to Va. Code §§ 45.1-361.22.A.2, 45.1-361.22.A.3 and 45.1-361.22.A.4, be deposited by the Operator into the Escrow Account within one hundred twenty (120) days of recording of this Order, and continuing thereafter on a monthly basis with each deposit to be made, by use of a report format approved by the Inspector, by a date which is no later than sixty (60) days after the last day of the month being reported and/or for which funds are subject to deposit. Such funds shall be held for the exclusive use of, and sole benefit of, the person entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board.
17. Special Findings: The Board specifically and specially finds:
- 17.1 At the time of the hearing of the Original Pooling Order, Pocahontas Gas Partnership was a Virginia general partnership composed of Consolidation Coal Company and CONOCO Inc.; however,

effective January 1, 2002 Pocahontas Gas Partnership's general partners became Consolidation Coal Company and Consol Energy Inc. Applicant is duly authorized and qualified to transact business in the Commonwealth of Virginia;

- 17.2 Pocahontas Gas Partnership is an operator in the Commonwealth of Virginia and has satisfied the Board's requirements for operations in Virginia;
- 17.3 Pocahontas Gas Partnership, claims ownership of gas leases, Coalbed Methane Gas leases, and/or coal leases representing 98.54608 percent of the oil and gas interest/claims in and to Coalbed Methane Gas and 100.00 percent of the coal interests/claims in and to Coalbed Methane Gas in Subject Drilling Unit, and Pocahontas Gas Partnership claims the right to explore for, develop and produce Coalbed Methane Gas from Subject Formations in Oakwood Unit Number R-43 in Buchanan County, Virginia, which Subject Lands are more particularly described in Exhibit "A";
- 17.4 The wells located in Subject Drilling Unit are producing Gas in advance of mining of the Pocahontas #3 seam of coal, and a copy of the mine plan has been filed with the Virginia Division of Gas and Oil;
- 17.5 The estimated total production from Subject Drilling Unit is 125 to 550 MMCF. The estimated amount of reserves from the Subject Drilling Unit is 125 to 550 MMCF;
- 17.6 Set forth in Exhibit B-3 is the name and last known address of each Owner or Claimant identified by the Unit Operator as having or claiming an interest in the Coalbed Methane Gas in Subject Formation in Subject Drilling Unit underlying and comprised of Subject Lands, who has not, in writing, leased to the Applicant or the Unit Operator or agreed to voluntarily pool his interests in Subject Drilling Unit for its development. The interests/claims of the Respondents listed in Exhibit B-3 comprise 1.45392 percent of the oil and gas interests/claims in and to Coalbed Methane Gas and 0.00 percent of the coal interests/claims in and to Coalbed Methane Gas in Subject Drilling Unit;
- 17.7 Applicant's evidence established that the fair, reasonable and equitable compensation to be paid to any person in lieu of the right to participate in any well covered hereby are those options provided in Paragraph 9 above;
- 17.8 The relief requested and granted is just and reasonable, is supported by substantial evidence and will afford each person listed and named in Exhibit B-3 hereto the opportunity to recover or receive, without unnecessary expense, such person's just and fair share of the production from Subject Drilling Unit. The granting of the Application and relief requested therein will ensure to the extent possible the greatest ultimate recovery of coalbed methane gas, prevent or assist in preventing the various types of waste prohibited by statute and protect or assist in protecting the correlative rights of all persons in the subject common sources of supply in the Subject Lands. Therefore, the Board is entering an Order granting the relief herein set forth.

18. Mailing Of Order And Filing Of Affidavit: Applicant or its Attorney shall file an affidavit with the Secretary of the Board within sixty (60) days after the date of recording of this Order stating that a true and correct copy of said Order was mailed within seven (7) days from the date of its receipt to each known and locatable Respondent, if any, named in Exhibit B-3 pooled by this Order and to each Respondent named in Exhibit E whose claims are subject to the escrow requirements of this Order.

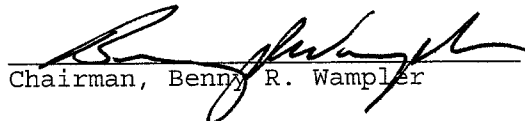
19. Availability of Unit Records: The Director shall provide all persons not subject to a lease with reasonable access to all records for Subject Drilling Unit which are submitted by the Unit Operator to said Director and/or his Inspector(s).

20. Conclusion: Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.


21. Appeals: Appeals of this Order are governed by the provisions of Va. Code § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court.

22. Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 15th day of April, 2002, by a majority of the Virginia Gas and Oil Board.

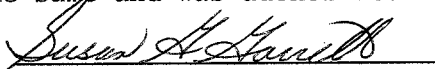

Chairman, Benny R. Wampler

DONE AND PERFORMED this 18th day of April, 2002, by Order of this Board.


E. R. Wilson
Principal Executive to the Staff
Virginia Gas and Oil Board

STATE OF VIRGINIA)
COUNTY OF WISE)

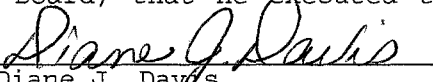
Acknowledged on this 15th day of April, 2002, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Susan G. Garrett
Notary Public

My commission expires July 31, 2002

STATE OF VIRGINIA)
COUNTY OF WASHINGTON)

Acknowledged on this 18th day of April, 2002, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Diane J. Davis
Notary Public

My commission expires September 30, 2005

**Order Recorded Under Code of
Virginia Section 45.1-361.26**

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS
PROVIDED BY CONSOL Inc. AND WERE NOT SURVEYED.

BOOK 545 PAGE 131

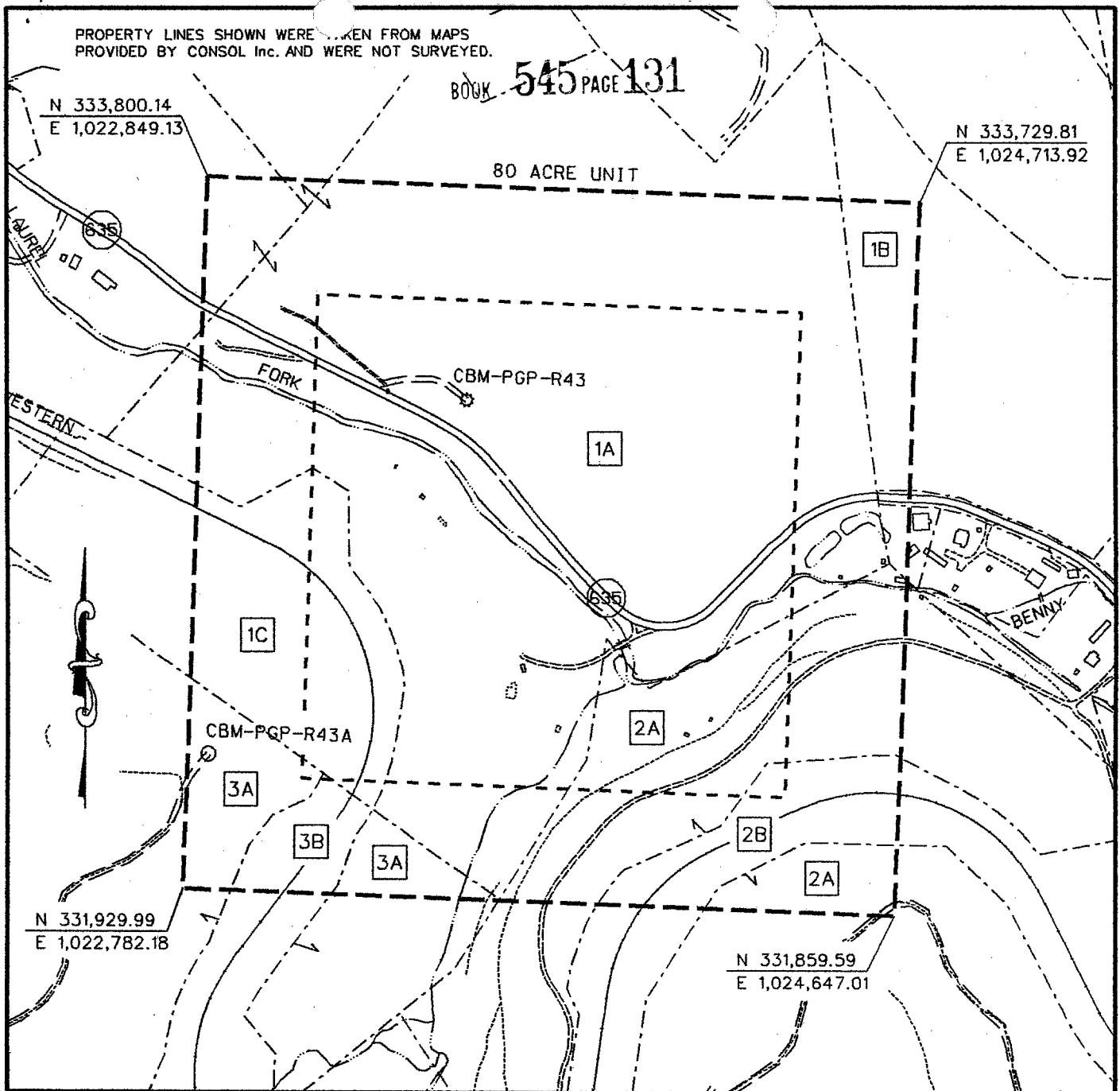


EXHIBIT A
OAKWOOD FIELD UNIT R-43
FORCE POOLING
VGOB-00-0321-0781-01

Company Pocahontas Gas Partnership Well Name and Number UNIT R43
Tract No. _____ Elevation _____ Quadrangle Jewell Ridge
County Buchanan District Garden Scale: 1" = 400' Date 11/12/01
This plat is a new plat X ; an updated plat _____ ; or a final plat _____

Form DGD-GD-7
Rev. 9/91

Charles D. Mayes
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

POCAHONTAS GAS PARTNERSHIP
UNIT R- 43
Tract Identifications

- 1A. James M. McGuire Trust - Coal
 Reserve Coal Properties - Below Drainage Coal Leased
 Jewell Ridge Coal Corp.- Jawbone and Tiller Seams Leased
 Pocahontas Gas Partnership - CBM Leased
 Reserve Coal Properties - Surface, Oil & Gas
 49.72 acres 62.1500%
- 1B. James M. McGuire Trust - Coal
 Reserve Coal Properties - Below Drainage Coal Leased
 Jewell Ridge Coal Corp.- Jawbone and Tiller Seams Leased
 Pocahontas Gas Partnership - CBM Leased
 James Cantrell Heirs - Oil & Gas
 Unknown Surface Owner
 2.87 acres 3.5875%
- 1C. James M. McGuire Trust - Coal
 Reserve Coal Properties - Below Drainage Coal Leased
 Jewell Ridge Coal Corp.- Jawbone and Tiller Seams Leased
 Pocahontas Gas Partnership - CBM Leased
 Norfolk Southern - Surface, Oil & Gas
 7.50 acres 9.3750%
2. Coal Mountain Mining - Tr 21 - Coal, Oil & Gas
 Reserve Coal Properties - Below Drainage Coal Leased
 Sandy Ridge Energy Corp. - Above Drainage Coal Leased
 Consolidation Coal Co. - Oil & Gas Leased
 Pocahontas Gas Partnership - CBM Leased
 14.69 acres 18.3625%
- 2A. Coal Mountain Trust Tr. 21 - Surface
 2B. Norfolk Southern Railway - Surface
3. Coal Mountain Mining - Tr 18 - Coal, Oil & Gas
 Reserve Coal Properties - Below Drainage Coal Leased
 Sandy Ridge Energy Corp. - Above Drainage Coal Leased
 Consolidation Coal Co. - Oil & Gas Leased
 Pocahontas Gas Partnership - CBM Leased
 5.22 acres 6.5250%
- 3A. Coal Mountain Trust Tr. 18 - Surface
 3B. Norfolk Southern Railway - Surface

Exhibit B-3
Unit R-43
Docket No. VGOB-00-0321-0781-01
List of Unleased Owners/Claimants

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Net Acres in Unit	Interest in Unit
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II. OIL & GAS FEE OWNERSHIP

Tract #1B - 2.87 acres

(1) James Cantrell Heirs, Devises Successors or Assigns	2.87 acres	3.58750%
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**Note: The fractional interest shown is the best estimate of interest based on information available at this time.*

(4) John Harvey Cantrell Heirs:

(g) Cecile Cantrell Boyd Heirs:

(g.1) Hazel Annamae Tatum Rt.2 Box 850 Cedar Bluff, VA 24609	0.004 acres 1/728 of 2.87 acres	0.00493%
(g.2) Benard Alfred Boyd 2561 Savage Fork Road Leesville, LA 71446	0.004 acres 1/728 of 2.87 acres	0.00493%
(g.3) Glen A. Boyd 1632 Highway 37 Blountville, TN 37617	0.004 acres 1/728 of 2.87 acres	0.00493%
(g.4) John Melvin Boyd 451 Knobview Road Blountville, TN 37617	0.004 acres 1/728 of 2.87 acres	0.00493%
(g.7) Barbara Boyd McCartney 9885 County Rd. 329 Homesville, OH 44633	0.004 acres 1/728 of 2.87 acres	0.00493%

(h) Rosalene Cantrell Boyd & Noah Boyd Heirs:

(h.1) Dovie White 913 Hamilton Avenue Colonial Heights, VA 23834	0.001 acres 1/1950 of 2.87 acres	0.00184%
(h.2) Donald Boyd 461 White Drive Cedar Bluff, VA 24609	0.005 acres 131/70200 of 2.87 acres	0.0066946%
(h.3) John Ralph Boyd 227 Jana Court Chesapeake, VA 23320	0.005 acres 131/70200 of 2.87 acres	0.0066946%
(h.5) Jessie Boyd Rt.1 Box 389-B Cedar Bluff, VA 24609	0.005 acres 131/70200 of 2.87 acres	0.0066946%
(h.6) Lacy Boyd P.O. Box 744 Richlands, VA 24641	0.005 acres 131/70200 of 2.87 acres	0.0066946%

**Exhibit B-3
Unit R-43
Docket No. VGOB-00-0321-0781-01
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	Net Acres in Unit	Interest in Unit
(h.8) Francis Anthony c/o Kathy Robinson 203 Ridge Avenue Towson, MD 21286	0.005 acres 131/70200 of 2.87 acres	0.0066946%
(h.9) Dolly Ruth Horn Rt.2 Box 460 Pounding Mill, VA 24637	0.005 acres 131/70200 of 2.87 acres	0.0066946%
(h.10) Veola Bentley 1106 Wasena Avenue S.W. Apt. #13 Roanoke, VA 24015	0.005 acres 131/70200 of 2.87 acres	0.0066946%
(5) Henry William Cantrell Heirs:		
(a) Calvin Cantrell P.O. Box 105 Paradise, PA 17562	0.020 acres 1/143 of 2.87 acres	0.02509%
(d) Clara Mowdy Box 59 Davy, WV 24824	0.020 acres 1/143 of 2.87 acres	0.02509%
(f) Edna Bradley Heirs:		
(f.5) Kenneth Bradley 6565 S. Headley Road Tucson, AZ 85746	0.003 acres 1/1001 of 2.87 acres	0.00358%
(g) Lonzo Cantrell Heirs:		
(g.1) Lillian Ann Stamper P.O. Box 436 Davy, WV 24828	0.010 acres 1/286 of 2.87 acres	0.01254%
(g.2) Jackie Ray Cantrell P.O. Box 151 Davy, WV 24828	0.010 acres 1/286 of 2.87 acres	0.01254%
(h) John Cantrell Heirs: (address unknown)	0.020 acres 1/143 of 2.87 acres	0.02509%
(i) Harold Cantrell Heirs: (address unknown)	0.020 acres 1/143 of 2.87 acres	0.02509%
(j) Mary Justice Heirs: (address unknown)	0.020 acres 1/143 of 2.87 acres	0.02509%
(k) Edgar Cantrell Heirs: (address unknown)	0.020 acres 1/143 of 2.87 acres	0.02509%
(6) Louisa Victoria Cantrell Boyd Blankenship Heirs:		
(a) Nellie Corns Honaker, VA 24260	0.022 acres 1/130 of 2.87 acres	0.02760%

**Exhibit B-3
Unit R-43
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	Net Acres in Unit	Interest in Unit
(c) Linkous Blankenship ✓ Raven, VA 24639	0.022 acres 1/130 of 2.87 acres	0.02760%
(d) Acie Blankenship ✓ Doran, VA 24612	0.022 acres 1/130 of 2.87 acres	0.02760%
(e) Marie Horn ✓ Raven, VA 24639	0.022 acres 1/130 of 2.87 acres	0.02760%
<u>(f) Harm Boyd Heirs:</u>		
(f.1) Johnny Boyd ✓ Tip City, OH	0.011 acres 1/260 of 2.87 acres	0.01380%
(f.2) Tommy Boyd ✓ Address Unknown	0.011 acres 1/260 of 2.87 acres	0.01380%
<u>(g) Cindy McGlothlin Heirs:</u>		
(g.1) Grady McGlothlin ✓ P.O. Box 5955 Raven, VA 24639	0.002 acres 1/1170 of 2.87 acres	0.00307%
(g.2) Annis McGlothlin ✓ Rt. 1 Box 1010 Pounding Mill, VA 24637	0.002 acres 1/1170 of 2.87 acres	0.00307%
(g.4) Geneva Mollahan ✓ 4664 Spencer Circle Geneva, OH 44041	0.002 acres 1/1170 of 2.87 acres	0.00307%
(g.7) Minnie Moff 696 Blue Hollow Road Mt. Airy, NC 27030	0.002 acres 1/1170 of 2.87 acres	0.00307%
(g.8) Jessie Matney 205 Piney Fork Dugspur, VA 24325	0.002 acres 1/1170 of 2.87 acres	0.00307%
<u>(g.9) Arlen McGlothlin Heirs:</u>		
(g.9.1) Artie Merritt ✓ 15A Razor Drive Greenville, SC 29617	0.00082 acres 1/3510 of 2.87 acres	0.00102%
(g.9.3) Ronnie McGlothlin ✓ 14 Hester Road Greenville, SC 29617	0.00082 acres 1/3510 of 2.87 acres	0.00102%
<u>(h) Sarah Boyd Sparks Heirs: (address unknown)</u>		
(h.1) Kyle Sparks ✓ P.O. Box 224 Mavisdale, VA 24627	0.007 acres 1/390 of 2.87 acres	0.00920%

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	Net Acres in Unit	Interest in Unit
(h.2) Holly Sparks Heirs:		
(h.2.1) Ruby Sparks 709 Needmoore Road ✓ Chilhowie, VA 24319	0.007 acres 1/390 of 2.87 acres	0.00920%
(h.3) Rufus Sparks Heirs: (Address Unknown) ✓		
	0.007 acres 1/390 of 2.87 acres	0.00920%
<u>(i) Noah Boyd Heirs: (see Rosalene Cantrell Boyd & Noah Boyd Heirs)</u>		
<u>(j) Frank Boyd Heirs:</u>		
(j.1) Hazel Boyd ✓ 124 Fourth Street Cedar Bluff, VA 24609	0.022 acres 1/130 of 2.87 acres	0.02760%
<u>(f) Luther Cantrell Heirs:</u>		
(f.7) Geraldine Mounts ✓ Box 252 Richlands, VA 24641	0.005 acres 1/546 of 2.87 acres	0.00657%
<u>(9) Nancy Sarilda Cantrell Pruitt Heirs:</u>		
(a) Charlie Pruitt ✓ Rt.1 Box 88G Cedar Bluff, VA 24609	0.028 acres 1/104 of 2.87 acres	0.03450%
(b) Joseph Pruitt ✓ Rt.1 Box 300 Cedar Bluff, VA 24609	0.028 acres 1/104 of 2.87 acres	0.03450%
(e) Bessie Huston ✓ 3437 E. Ripple Road Cantderd, AZ 86322	0.028 acres 1/104 of 2.87 acres	0.03450%
<u>(f) Otis Pruitt Heirs:</u>		
(f.1) Mary Ellen Pruitt, Widow ✓ P.O. Box 183 Doran, VA 24639	0.028 acres 1/104 of 2.87 acres	0.03450%
<u>(g) Alta Wyatt Heirs:</u>		
(g.3) Yvonne Arnold ✓ HCR 63 Box 80 Jewell Ridge, VA 24622	0.009 acres 1/312 of 2.87 acres	0.01150%
<u>(h) Sarah Ball Heirs:</u>		
(h.1) Thelma Justice ✓ P.O. Box 878 Lebanon, VA 24266	0.005 acres 1/624 of 2.87 acres	0.00575%
(h.2) Wanda Stooksbury ✓ P.O. Box 703 Norris, TN 37828	0.005 acres 1/624 of 2.87 acres	0.00575%

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	Net Acres in Unit	Interest in Unit
(h.3) Connie Duncan 12453 Maple Street Moundsville, AL 35474 ✓	0.005 acres 1/624 of 2.87 acres	0.00575%
(h.4) Vernie Cook Rt.2 Box 482 ✓ Honaker, VA 24260	0.005 acres 1/624 of 2.87 acres	0.00575%
(h.5) Kim Bowman Box 825 Woodbriar Drive ✓ Lebanon, VA 24266	0.005 acres 1/624 of 2.87 acres	0.00575%
(h.6) Angie Stevens P.O. Box 2105 ✓ Honaker, VA 24260	0.005 acres 1/624 of 2.87 acres	0.00575%
(10) <u>Laura Jane Helton Cook Heirs:</u>		
(a) Mable Hope 5661 Gunpowder Road ✓ White Marsh, MD 21162	0.110 acres 1/26 of 2.87 acres	0.13798%
(b) <u>Tidy Moxley Heirs:</u>		
(b.1) Helen Ferguson 184 County Road 201 ✓ Athen, TN 37303	0.022 acres 1/130 of 2.87 acres	0.02760%
(b.2) Paul Moxley 849 Lincoln Rd #71 ✓ Uba City, CA 95991	0.022 acres 1/130 of 2.87 acres	0.02760%
(b.4) Bobby Moxley 11735 S.W. 112 Terrace Miami, FL 33165	0.022 acres 1/130 of 2.87 acres	0.02760%
(b.5) Ronnie Moxley 218 Minnesota Avenue ✓ St. Cloud, FL 34769	0.022 acres 1/130 of 2.87 acres	0.02760%
(11) <u>James Washington Cantrell Heirs:</u>		
(a) Erma Horn Box 775 ✓ Raven, VA 24639	0.028 acres 1/104 of 2.87 acres	0.03450%
(b) Anna Belle Cantrell 10260 Tuyunga Cyn. Blvd. ✓ Tuyunga, CA 91042	0.028 acres 1/104 of 2.87 acres	0.03450%
(c) Naomi McFerdick 331 Cleveland Avenue ✓ Ashland, OH 44805	0.028 acres 1/104 of 2.87 acres	0.03450%
(d) John Lee Cantrell Box 173 ✓ Pounding Mill, VA 24637	0.028 acres 1/104 of 2.87 acres	0.03450%

**Exhibit B-3
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	Net Acres in Unit	Interest in Unit
(e) Oris Cantrell HC 62 Box 86 Raven, VA 24639	0.028 acres 1/104 of 2.87 acres	0.03450%
(f) Mary Cantrell Crawford P.O. Box 1229 Raven, VA 24639	0.028 acres 1/104 of 2.87 acres	0.03450%
(g) Clara Hammond P.O. Box 659 Raven, VA 24639	0.028 acres 1/104 of 2.87 acres	0.03450%
<u>(h) Lewis Cantrell Heirs:</u>		
(h.1) Bonnie Cantrell, Widow 972 Piper Road Mansfield, OH 44905	0.028 acres 1/104 of 2.87 acres	0.03450%
<u>(13) George Freeman Cantrell Heirs:</u>		
(a) Arline Newberry Rt.1 Box 20 Raven, VA 24634	0.032 acres 1/91 of 2.87 acres	0.03942%
(b) Leopal Newberry 13001 Dykeland Road Amelia, VA 23002	0.032 acres 1/91 of 2.87 acres	0.03942%
(c) Albert Cantrell Box 214 Pilgrims Knob, VA 24634	0.032 acres 1/91 of 2.87 acres	0.03942%
(d) Lois Cantrell Box 144 Pilgrims Knob, VA 24634	0.032 acres 1/91 of 2.87 acres	0.03942%
(e) George Cantrell, Jr. Rt.1 Box 137C Raven, VA 24634	0.032 acres 1/91 of 2.87 acres	0.03942%
(f) Dennis Cantrell 663 Cutsey Hill Road Chase, VA 23924	0.032 acres 1/91 of 2.87 acres	0.03942%
<u>(g) Mable Cantrell Arnold Heirs:</u>		
(g.1) Dinah Arnold Rt.1 Box 456A Tazewell, VA 24651	0.011 acres 1/273 of 2.87 acres	0.01314%
(g.2) Dwayne Arnold 336 Crooked Creek Drive Leonard, MI 48367	0.011 acres 1/273 of 2.87 acres	0.01314%
(g.3) Randy Arnold P.O. Box 615 Lake Orin, MI 48361	0.011 acres 1/273 of 2.87 acres	0.01314%

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Net Acres
in Unit

Interest in
Unit

Tract #1C - 7.50 acres

(1) Norfolk Southern Corporation ✓
8 North Jefferson Street
Roanoke, VA 24042-0026

7.50 acres

9.37500%

Exhibit E

Unit R-43

Docket No. VGOB-00-0321-0781-01

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List of Conflicting Owners/Claimants that require escrow

	Net Acres in Unit	Interest in Unit
<u>Tract #1B - 2.87 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) James M. McGuire Trust c/o Charles Green P. O. Box 1067 Bluefield, VA 24605	2.87 acres	3.58750%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) James Cantrell Heirs, Devisees Successors or Assigns	2.87 acres	3.58750%
<i>*Note: The fractional interest shown is the best estimate of interest based on information available at this time.</i>		
(1) Elbert Lee Cantrell c/o Ethel Watson 204 Grayson Avenue Richlands, VA 24641	0.221 acres 1/13 of 2.87 acres	0.27596%
(2) Raymond Ellis Cantrell HCR 62 Box 137-C Raven, VA 24639	0.221 acres 1/13 of 2.87 acres	0.27596%
(3) Rosie Maze Cantrell Keen P.O. Box 1188 St. Paul, VA 24283	0.221 acres 1/13 of 2.87 acres	0.27596%
<u>(4) John Harvey Cantrell Heirs:</u>		
(a) Andy B. Cantrell HC 62 Box 131 Raven, VA 24639	0.028 acres 1/104 of 2.87 acres	0.03450%
(b) Virgie M. Cantrell Box 62 Whitewood, VA 24657	0.028 acres 1/104 of 2.87 acres	0.03450%
(c) Elsie Cantrell Gose Friend P.O. Box 1264 Cedar Bluff, VA 24609	0.028 acres 1/104 of 2.87 acres	0.03450%
(d) Calvin Cantrell Box 389 Cedar Bluff, VA 24609	0.028 acres 1/104 of 2.87 acres	0.03450%
(e) Hattie Cantrell Kite 439 Carson Creek Road Limestone, TN 37681	0.028 acres 1/104 of 2.87 acres	0.03450%
(f) Edward M. Cantrell 863 Chestnut Street Walbash, IN 46992	0.028 acres 1/104 of 2.87 acres	0.03450%

Exhibit E**Unit R-43****Docket No. VGOB-00-0321-0781-01****List of Conflicting Owners/Claimants that require escrow****BOOK****545 PAGE 141**

	Net Acres in Unit	Interest in Unit
<u>(g) Cecile Cantrell Boyd Heirs:</u>		
(g.1) Hazel Annamae Tatum Rt.2 Box 850 Cedar Bluff, VA 24609	0.004 acres 1/728 of 2.87 acres	0.00493%
(g.2) Benard Alfred Boyd 2561 Savage Fork Road Leesville, LA 71446	0.004 acres 1/728 of 2.87 acres	0.00493%
(g.3) Glen A. Boyd 1632 Highway 37 Blountville, TN 37617	0.004 acres 1/728 of 2.87 acres	0.00493%
(g.4) John Melvin Boyd 451 Knobview Road Blountville, TN 37617	0.004 acres 1/728 of 2.87 acres	0.00493%
(g.5) Freddy Boyd Rt.1 Box 1348 Pounding Mill, VA 24637	0.004 acres 1/728 of 2.87 acres	0.00493%
(g.6) Teddy Boyd Rt.2 Box 330 Cedar Bluff, VA 24609	0.004 acres 1/728 of 2.87 acres	0.00493%
(g.7) Barbara Boyd McCartney 9885 County Rd. 329 Homesville, OH 44633	0.004 acres 1/728 of 2.87 acres	0.00493%
<u>(h) Rosalene Cantrell Boyd & Noah Boyd Heirs:</u>		
(h.1) Dovie White 913 Hamilton Avenue Colonial Heights, VA 23834	0.001 acres 1/1950 of 2.87 acres	0.00184%
(h.2) Donald Boyd 461 White Drive Cedar Bluff, VA 24609	0.005 acres 131/70200 of 2.87 acres	0.0066946%
(h.3) John Ralph Boyd 227 Jana Court Chesapeake, VA 23320	0.005 acres 131/70200 of 2.87 acres	0.0066946%
(h.4) Alonzo Boyd Rt.1 Box 1040 Pounding Mill, VA 24637	0.005 acres 131/70200 of 2.87 acres	0.0066946%
(h.5) Jessie Boyd Rt.1 Box 389-B Cedar Bluff, VA 24609	0.005 acres 131/70200 of 2.87 acres	0.0066946%
(h.6) Lacy Boyd P.O. Box 744 Richlands, VA 24641	0.005 acres 131/70200 of 2.87 acres	0.0066946%

Exhibit E
Unit R-43

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	Net Acres in Unit	Interest in Unit
(h.7) Noah Boyd, Jr. 617 Morrill Avenue S.E. Roanoke, VA 24013	0.005 acres 131/70200 of 2.87 acres	0.0066946%
(h.8) Francis Anthony c/o Kathy Robinson 203 Ridge Avenue Towson, MD 21286	0.005 acres 131/70200 of 2.87 acres	0.0066946%
(h.9) Dolly Ruth Horn Rt.2 Box 460 Pounding Mill, VA 24637	0.005 acres 131/70200 of 2.87 acres	0.0066946%
(h.10) Veola Bentley 1106 Wasena Avenue S.W. Apt. #13 Roanoke, VA 24015	0.005 acres 131/70200 of 2.87 acres	0.0066946%
(5) <u>Henry William Cantrell Heirs:</u>		
(a) Calvin Cantrell P.O. Box 105 Paradise, PA 17562	0.020 acres 1/143 of 2.87 acres	0.02509%
(b) Hershel Cantrell 229 Circle Drive Quarryville, PA 17566	0.020 acres 1/143 of 2.87 acres	0.02509%
(c) Mildred Noe Box 1955 Lancaster, PA 17602	0.020 acres 1/143 of 2.87 acres	0.02509%
(d) Clara Mowdy Box 59 Davy, WV 24824	0.020 acres 1/143 of 2.87 acres	0.02509%
(e) <u>Robert Cantrell Heirs:</u>		
(e.1) Mavis Cantrell, Widow 118 Pinewood Road Elk View, WV 25071	0.020 acres 1/143 of 2.87 acres	0.02509%
(f) <u>Edna Bradley Heirs:</u>		
(f.1) Helen Lambert 1111 Georgia Avenue Bristol, TN 37620	0.003 acres 1/1001 of 2.87 acres	0.00358%
(f.2) Doris Mathis Rt.6 Box 218-B Princeton, WV 24740	0.003 acres 1/1001 of 2.87 acres	0.00358%
(f.3) Robert Bradley 1414 Lampeter Road Lancaster, PA 17602	0.003 acres 1/1001 of 2.87 acres	0.00358%

Exhibit E
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	Net Acres in Unit	Interest in Unit
(f.4) Roger Bradley 33 Naomi Avenue Landisville, PA 17538	0.003 acres 1/1001 of 2.87 acres	0.00358%
(f.5) Kenneth Bradley 6565 S. Headley Road Tucson, AZ 85746	0.003 acres 1/1001 of 2.87 acres	0.00358%
(f.6) Patsy Gerfin P.O. Box 3273 Wise, VA 24293	0.003 acres 1/1001 of 2.87 acres	0.00358%
(f.7) Donna Schoenberger 1925 Oregon Pike Apt. L-5 Lancaster, PA 17602	0.003 acres 1/1001 of 2.87 acres	0.00358%
<u>(g) Lonzo Cantrell Heirs:</u>		
(g.1) Lillian Ann Stamper P.O. Box 436 Davy, WV 24828	0.010 acres 1/286 of 2.87 acres	0.01254%
(g.2) Jackie Ray Cantrell P.O. Box 151 Davy, WV 24828	0.010 acres 1/286 of 2.87 acres	0.01254%
<u>(h) John Cantrell Heirs: (address unknown)</u>	0.020 acres 1/143 of 2.87 acres	0.02509%
<u>(i) Harold Cantrell Heirs: (address unknown)</u>	0.020 acres 1/143 of 2.87 acres	0.02509%
<u>(j) Mary Justice Heirs: (address unknown)</u>	0.020 acres 1/143 of 2.87 acres	0.02509%
<u>(k) Edgar Cantrell Heirs: (address unknown)</u>	0.020 acres 1/143 of 2.87 acres	0.02509%
<u>(6) Louisa Victoria Cantrell Boyd Blankenship Heirs:</u>		
(a) Nellie Corns Honaker, VA 24260	0.022 acres 1/130 of 2.87 acres	0.02760%
(b) Lennie Cole 11 Ridgecrest Private Drive Somerville, AL 35670	0.022 acres 1/130 of 2.87 acres	0.02760%
(c) Linkous Blankenship Raven, VA 24639	0.022 acres 1/130 of 2.87 acres	0.02760%
(d) Acie Blankenship Doran, VA 24612	0.022 acres 1/130 of 2.87 acres	0.02760%

Exhibit E
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	Net Acres in Unit	Interest in Unit
(e) Marie Horn Raven, VA 24639	0.022 acres 1/130 of 2.87 acres	0.02760%
<u>(f) Harm Boyd Heirs:</u>		
(f.1) Johnny Boyd Tip City, OH	0.011 acres 1/260 of 2.87 acres	0.01380%
(f.2) Tommy Boyd Address Unknown	0.011 acres 1/260 of 2.87 acres	0.01380%
<u>(g) Cindy McGlothlin Heirs:</u>		
(g.1) Grady McGlothlin P.O. Box 5955 Raven, VA 24639	0.002 acres 1/1170 of 2.87 acres	0.00307%
(g.2) Annis McGlothlin Rt. 1 Box 1010 Pounding Mill, VA 24637	0.002 acres 1/1170 of 2.87 acres	0.00307%
(g.3) Clint McGlothlin 150 Corning Court Beaver, WV 25813	0.002 acres 1/1170 of 2.87 acres	0.00307%
(g.4) Geneva Mollahan 4664 Spencer Circle Geneva, OH 44041	0.002 acres 1/1170 of 2.87 acres	0.00307%
(g.5) Betty Deel Rt. 2 Box 570 Pounding Mill, VA 24637	0.002 acres 1/1170 of 2.87 acres	0.00307%
(g.6) Nancy Moff 129 Floyd Worley Road Beaver, WV 25813	0.002 acres 1/1170 of 2.87 acres	0.00307%
(g.7) Minnie Moff 696 Blue Hollow Road Mt. Airy, NC 27030	0.002 acres 1/1170 of 2.87 acres	0.00307%
(g.8) Jessie Matney 205 Piney Fork Dugspur, VA 24325	0.002 acres 1/1170 of 2.87 acres	0.00307%
<u>(g.9) Arlen McGlothlin Heirs:</u>		
(g.9.1) Artie Merritt 15A Razor Drive Greenville, SC 29617	0.00082 acres 1/3510 of 2.87 acres	0.00102%
(g.9.2) Paul McGlothlin 5 North Gaywood Greenville, SC 29605	0.00082 acres 1/3510 of 2.87 acres	0.00102%

Exhibit E
Unit R-43

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List of Conflicting Owners/Claimants that require escrow

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	Net Acres in Unit	Interest in Unit
(g.9.3) Ronnie McGlothlin 14 Hester Road Greenville, SC 29617	0.00082 acres 1/3510 of 2.87 acres	0.00102%
<u>(h) Sarah Boyd Sparks Heirs: (address unknown)</u>		
(h.1) Kyle Sparks P.O. Box 224 Mavisdale, VA 24627	0.007 acres 1/390 of 2.87 acres	0.00920%
<u>(h.2) Holly Sparks Heirs:</u>		
(h.2.1) Ruby Sparks 709 Needmoore Road Chilhowie, VA 24319	0.007 acres 1/390 of 2.87 acres	0.00920%
(h.3) Rufus Sparks Heirs: (Address Unknown)	0.007 acres 1/390 of 2.87 acres	0.00920%
<u>(i) Noah Boyd Heirs: (see Rosalene Cantrell Boyd & Noah Boyd Heirs)</u>		
<u>(j) Frank Boyd Heirs:</u>		
(j.1) Hazel Boyd 124 Fourth Street Cedar Bluff, VA 24609	0.022 acres 1/130 of 2.87 acres	0.02760%
<u>(7) Joseph David Cantrell Heirs:</u>		
(a) Garnie Horn 5606 Kildare Drive Richmond, VA 23225	0.037 acres 1/78 of 2.87 acres	0.04599%
(b) Myrtle Cantrell Box 8 Whitewood, VA 24657	0.037 acres 1/78 of 2.87 acres	0.04599%
(c) Dolly Horn 21233 Plantation Drive Bristol, VA 24202	0.037 acres 1/78 of 2.87 acres	0.04599%
(d) Lola Keen P.O. Box 44 Whitewood, VA 24657	0.037 acres 1/78 of 2.87 acres	0.04599%
(e) Ruby Alice Horn Box 5 Whitewood, VA 24657	0.037 acres 1/78 of 2.87 acres	0.04599%
<u>(f) Luther Cantrell Heirs:</u>		
(f.1) Tennessee Cantrell, Widow Box 354 Doran, VA 24612	Life Estate	
(f.2) Walsie VanDyke 2415 Utly Road Flint, MI 48532	0.005 acres 1/546 of 2.87 acres	0.00657%

Exhibit E
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	Net Acres in Unit	Interest in Unit
(f.3) Carl Cantrell 5207 Lady Lake Road Lady Lake, FL 32139	0.005 acres 1/546 of 2.87 acres	0.00657%
(f.4) Therman Cantrell 6108 Straight Hollow Road McVeigh, KY 41546	0.005 acres 1/546 of 2.87 acres	0.00657%
(f.5) Juanita Hale Rt.3 Box 380 Cedar Bluff, VA 24609	0.005 acres 1/546 of 2.87 acres	0.00657%
(f.6) Pauline Davidson Box 511 Keen Mountain, VA 24624	0.005 acres 1/546 of 2.87 acres	0.00657%
(f.7) Geraldine Mounts Box 252 Richlands, VA 24641	0.005 acres 1/546 of 2.87 acres	0.00657%
(f.8) Walter Cantrell 4th Street, Box 145 Cedar Bluff, VA 24609	0.005 acres 1/546 of 2.87 acres	0.00657%
(8) <u>Jessie Cleveland Cantrell Heirs:</u>		
(a) Dovie Cantrell Dixon 11533 N. Forest Hills Drive Tampa, FL 33612	0.074 acres 1/39 of 2.87 acres	0.09199%
(b) Marjorie Morefield 15215 Lee Highway Bristol, VA 24202	0.074 acres 1/39 of 2.87 acres	0.09199%
(c) Myriel Musick 14525 Lee Highway Bristol, VA 24202	0.074 acres 1/39 of 2.87 acres	0.09199%
(9) <u>Nancy Sarilda Cantrell Pruitt Heirs:</u>		
(a) Charlie Pruitt Rt.1 Box 88G Cedar Bluff, VA 24609	0.028 acres 1/104 of 2.87 acres	0.03450%
(b) Joseph Pruitt Rt.1 Box 300 Cedar Bluff, VA 24609	0.028 acres 1/104 of 2.87 acres	0.03450%
(c) Avis Boyd Box 715 Raven, VA 24639	0.028 acres 1/104 of 2.87 acres	0.03450%
(d) Mazie Huston 7546 N. Pine Street Manassas, VA 20111	0.028 acres 1/104 of 2.87 acres	0.03450%

Exhibit E
Unit R-43

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	Net Acres in Unit	Interest in Unit
(e) Bessie Huston 3437 E. Ripple Road Cantderd, AZ 86322	0.028 acres 1/104 of 2.87 acres	0.03450%
<u>(f) Otis Pruitt Heirs:</u>		
(f.1) Mary Ellen Pruitt, Widow P.O. Box 183 Doran, VA 24639	0.028 acres 1/104 of 2.87 acres	0.03450%
<u>(g) Alta Wyatt Heirs:</u>		
(g.1) Bonnie Wyatt 516 Shanadoh Street Richlands, VA 24641	0.009 acres 1/312 of 2.87 acres	0.01150%
(g.2) Jerry Wyatt HCR 63 Box 80A Jewell Ridge, VA 24622	0.009 acres 1/312 of 2.87 acres	0.01150%
(g.3) Yvonne Arnold HCR 63 Box 80 Jewell Ridge, VA 24622	0.009 acres 1/312 of 2.87 acres	0.01150%
<u>(h) Sarah Ball Heirs:</u>		
(h.1) Thelma Justice P.O. Box 878 Lebanon, VA 24266	0.005 acres 1/624 of 2.87 acres	0.00575%
(h.2) Wanda Stooksbury P.O. Box 703 Norris, TN 37828	0.005 acres 1/624 of 2.87 acres	0.00575%
(h.3) Connie Duncan 12453 Maple Street Moundsville, AL 35474	0.005 acres 1/624 of 2.87 acres	0.00575%
(h.4) Vernie Cook Rt.2 Box 482 Honaker, VA 24260	0.005 acres 1/624 of 2.87 acres	0.00575%
(h.5) Kim Bowman Box 825 Woodbriar Drive Lebanon, VA 24266	0.005 acres 1/624 of 2.87 acres	0.00575%
(h.6) Angie Stevens P.O. Box 2105 Honaker, VA 24260	0.005 acres 1/624 of 2.87 acres	0.00575%
<u>(10) Laura Jane Helton Cook Heirs:</u>		
(a) Mable Hope 5661 Gunpowder Road White Marsh, MD 21162	0.110 acres 1/26 of 2.87 acres	0.13798%

Exhibit E
Unit R-43

Docket No. VGOB-00-0321-0781-01
List of Conflicting Owners/Claimants that require escrow

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	Net Acres in Unit	Interest in Unit
<u>(b) Tidy Moxley Heirs:</u>		
(b.1) Helen Ferguson 184 County Road 201 Athen, TN 37303	0.022 acres 1/130 of 2.87 acres	0.02760%
(b.2) Paul Moxley 849 Lincoln Rd #71 Uba City, CA 95991	0.022 acres 1/130 of 2.87 acres	0.02760%
(b.3) Virginia Lilliston 904 Martell Court, Apt 1 Bel Air, MD 21014	0.022 acres 1/130 of 2.87 acres	0.02760%
(b.4) Bobby Moxley 11735 S.W. 112 Terrace Miami, FL 33165	0.022 acres 1/130 of 2.87 acres	0.02760%
(b.5) Ronnie Moxley 218 Minnesota Avenue St. Cloud, FL 34769	0.022 acres 1/130 of 2.87 acres	0.02760%
<u>(11) James Washington Cantrell Heirs:</u>		
(a) Erma Horn Box 775 Raven, VA 24639	0.028 acres 1/104 of 2.87 acres	0.03450%
(b) Anna Belle Cantrell 10260 Tuyunga Cyn. Blvd. Tuyunga, CA 91042	0.028 acres 1/104 of 2.87 acres	0.03450%
(c) Naomi McFerdick 331 Cleveland Avenue Ashland, OH 44805	0.028 acres 1/104 of 2.87 acres	0.03450%
(d) John Lee Cantrell Box 173 Pounding Mill, VA 24637	0.028 acres 1/104 of 2.87 acres	0.03450%
(e) Oris Cantrell HC 62 Box 86 Raven, VA 24639	0.028 acres 1/104 of 2.87 acres	0.03450%
(f) Mary Cantrell Crawford P.O. Box 1229 Raven, VA 24639	0.028 acres 1/104 of 2.87 acres	0.03450%
(g) Clara Hammond P.O. Box 659 Raven, VA 24639	0.028 acres 1/104 of 2.87 acres	0.03450%
<u>(h) Lewis Cantrell Heirs:</u>		
(h.1) Bonnie Cantrell, Widow 972 Piper Road Mansfield, OH 44905	0.028 acres 1/104 of 2.87 acres	0.03450%

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	Net Acres in Unit	Interest in Unit
(12) <u>Ada Samantha Cantrell Keen Heirs:</u>		
(a) Andrew Keen HC 62 Box 157 Raven, VA 24639	0.110 acres 1/26 of 2.87 acres	0.13798%
(b) Thurman Keen Rt.1 Box 308 Grundy, VA 24614	0.110 acres 1/26 of 2.87 acres	0.13798%
(13) <u>George Freeman Cantrell Heirs:</u>		
(a) Arline Newberry Rt.1 Box 20 Raven, VA 24634	0.032 acres 1/91 of 2.87 acres	0.03942%
(b) Leopal Newberry 13001 Dykeland Road Amelia, VA 23002	0.032 acres 1/91 of 2.87 acres	0.03942%
(c) Albert Cantrell Box 214 Pilgrims Knob, VA 24634	0.032 acres 1/91 of 2.87 acres	0.03942%
(d) Lois Cantrell Box 144 Pilgrims Knob, VA 24634	0.032 acres 1/91 of 2.87 acres	0.03942%
(e) George Cantrell, Jr. Rt.1 Box 137C Raven, VA 24634	0.032 acres 1/91 of 2.87 acres	0.03942%
(f) Dennis Cantrell 663 Cutsey Hill Road Chase, VA 23924	0.032 acres 1/91 of 2.87 acres	0.03942%
<u>(g) Mable Cantrell Arnold Heirs:</u>		
(g.1) Dinah Arnold Rt.1 Box 456A Tazewell, VA 24651	0.011 acres 1/273 of 2.87 acres	0.01314%
(g.2) Dwayne Arnold 336 Crooked Creek Drive Leonard, MI 48367	0.011 acres 1/273 of 2.87 acres	0.01314%
(g.3) Randy Arnold P.O. Box 615 Lake Orin, MI 48361	0.011 acres 1/273 of 2.87 acres	0.01314%

Tract #1C - 7.50 acres

COAL FEE OWNERSHIP

(1) James M. McGuire Trust c/o Charles Green P. O. Box 1067 Bluefield, VA 24605	7.50 acres	9.37500%
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Exhibit E

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List of Conflicting Owners/Claimants that require escrow

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**Net Acres
in Unit**

**Interest in
Unit**

OIL & GAS FEE OWNERSHIP

**(1) Norfolk Southern Corporation
8 North Jefferson Street
Roanoke, VA 24042-0026**

7.50 acres

9.37500%

Exhibit EE

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BOOK

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List of Conflicting Owners/Claimants with Royalty Split Agreements

Net Acres
in Unit

Interest in
Unit

Tract #1A - 49.72 acres

COAL FEE OWNERSHIP

(1) James M. McGuire Trust c/o Charles Green P. O. Box 1067 Bluefield, VA 24605	49.72 acres	62.15000%
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OIL & GAS FEE OWNERSHIP

(1) Reserve Coal Properties P. O. Box 947 Bluefield, VA 24605	49.72 acres	62.15000%
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RECEIVED

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 2nd day of April, 2002 7:16 P. M.
Deed Book No. 545 and Page No. 120.
Returned to: Alan Davis TESTE: James M. Bevens, Jr., Clerk
Shirley S. Miller Deputy Clerk

BU
42

ENTERED

INSTRUMENT #020709612
RECORDED IN THE CLERK'S OFFICE OF
BIGHAM COUNTY ON
APRIL 23, 2002 AT 01:16PM
JAMES H. REYNOLDS JR., CLERK

BY:

OK